

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION

FEB -5 PM 3:16  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

DAVID LEE LEWIS, )  
Plaintiff, )  
vs. ) CIVIL ACTION NUMBER  
BRYCE HOSPITAL, PERSONNEL ) 93-C-0586-W  
DEPARTMENT OF THE STATE OF )  
ALABAMA, )  
Defendants. )

ENTERED

FEB 5 1997

MEMORANDUM OPINION

Plaintiff settled his case with the defendants on January 30, 1995. Pursuant to the terms of that settlement, defendants agreed, among other things, to award him backpay for the period March 22, 1992, to July 31, 1993. The backpay amount which should have been paid to plaintiff as of January 31, 1995, is \$16,894.02. There was no agreement on prejudgment interest.

Since defendants have had unrestricted use of the settlement amount since the date of the Final Judgment (i.e., Order of Dismissal), plaintiff is entitled to interest on the latter amount at the rate of six percent (6%) per annum. As of January 31, 1996, accumulated interest of \$1,013.64 results in \$17,907.66 being owed to plaintiff. A year later, as of January 31, 1997, defendants owe plaintiff the total sum of \$18,982.12.

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From the \$18,982.12 otherwise owed to plaintiff, defendants may withhold \$325.20 for state taxes, \$1,047.43 for FICA, and \$244.97 for Medicare tax. Defendants shall not withhold any amount for unemployment compensation benefits.

Plaintiff is now entitled to \$17,364.52 from the defendants.

An Enforcement Order shall issue separately.

DONE this 5<sup>th</sup> day of February, 1997.



UNITED STATES DISTRICT JUDGE  
U. W. CLEMON